

#12 Reg CPA

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL (Small Entity)**

Docket No.

98-120

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

☒ **DUPLICATE** (Check box if applicable)

First Named Inventor

Examiner

Group/Art Unit

Jay S. WALKER

James H. Zurita

2165

Address to:

Assistant Commissioner for Patents

Box CPA

Washington, D.C. 20231

This is a request for filing a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/348,566 filed on July 7, 1999 and entitled:

SETTLEMENT SYSTEMS AND METHODS WHEREIN A BUYER TAKES POSSESSION AT A RETAILER OF A PRODUCT PURCHASED USING A COMMUNICATION NETWORK

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent is enclosed.

5. ☒ Small Entity Status:

- a. ☒ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

6. ☐ The fee for this application is calculated as follows:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	101	- 20 =	81	x \$9.00	\$729.00
Indep. Claims	14	- 3 =	11	x \$42.00	\$462.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$370.00
TOTAL FILING FEE					\$1,561.00

08/09/2002 AWUNDAF1 00000052 500271 09348566

02 FC:231 370.00 CH
 03 FC:202 462.00 CH
 04 FC:203 729.00 CH

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GROUP 3600

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No.
- ☒ fees required under 37 C.F.R. 1.16.
 - ☐ fees required under 37 C.F.R. 1.17.
 - ☐ fees required under 37 C.F.R. 1.18.
8. ☐ A check in the amount of _____ is enclosed.
9. ☐ An Information Disclosure Statement (IDS) is enclosed:
- a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations
10. ☒ Also enclosed:
- Petition for Extension of Time (Small Entity) (1 pg.) (x2);**
Assertion of Small Entity Status (1 pg.);
Preliminary Amendment (25 pp.);
Corrected Set of Formal Drawings (37 Sheets) (Figs. 1A-30);
Terminal Disclaimer to Obviate A Double Patenting Rejection (1 pg.) (x2); and
Return Receipt Postcard.
11. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

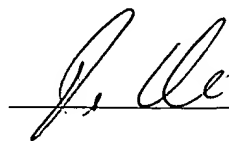
C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: August 6, 2002



Signature

Dean P. Alderucci

Typed or printed name



22927

PATENT TRADEMARK OFFICE

CC: Alderucci@walkerdigital.com

40,484

Registration Number (if applicable)

- ☐ Inventor(s)
- ☐ Assignee of complete interest
- ☒ Attorney or agent of record



Application Serial No.: 09/348,566
Attorney Docket No.: 98-120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Paul
13/A
8/16/02

Applicants:

Walker et al.

Application No.: 09/348,566

Filed: July 7, 1999

For: SETTLEMENT SYSTEMS AND
METHODS WHEREIN A BUYER
TAKES POSSESSION AT A
RETAILER OF A PRODUCT
PURCHASED USING A
COMMUNICATION NETWORK

CUSTOMER NO. 22927

) Group Art Unit: 2165

)
) Examiner: Zurita, James H.
) (703) 605-4966

) **PRELIMINARY AMENDMENT**

) Attorney Docket No. 98-120

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express mail in an envelope with sufficient postage and addressed to: USPTO, P.O. Box 2327, Arlington, VA 22202 Attn: Bpx CPA, on August 6, 2002.

Dated: August 6, 2002 By: *Michael D. Brinton*

Michael D. Brinton

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Examiner:

Entry of the following amendments and consideration of the following remarks into the above identified application are respectfully requested.